

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 25-2 (ZONING) OF THE CITY CODE RELATING TO THE UNIVERSITY NEIGHBORHOOD OVERLAY (UNO).**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-2-756 (*Height*) is amended to read as follows:

**§ 25-2-756 HEIGHT.**

(A) Except as provided in Subsection (B), maximum heights for structures are prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*).

(B) This subsection applies in the outer west campus subdistrict.

(1) In this subsection, HISTORIC PROPERTY means property zoned historic or listed in the City's historic building survey on October 6, 2008.

(2) Except as provided in Paragraph (3), a structure with a multi-family residential use may exceed by 15 feet the maximum height prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*) if:

(a) the structure is located in an area for which the maximum height is at least 50 feet; and

(b) the multi-family residential use, for a period of not less than 15 years from the date a certificate of occupancy is issued, sets aside at least:

(i) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is less than or equal to 60 [80] percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office; and

ii) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is less than or equal to 50 percent of the median income in the Austin statistical metropolitan area, as determined by the

1 director of the Austin Neighborhood Housing and  
2 Community Development Office.

- 3 (3) A building on a lot that has a common side lot line with a historic  
4 property may not exceed by more than 20 feet the maximum building  
5 height of the base district in which the historic property is located.

6 **PART 2.** City Code Section 25-2-765 (*Affordable Housing*) is amended to read  
7 as follows:

8 **§ 25-2-765 AFFORDABLE HOUSING.**

- 9 (A) A multi-family residential use established after September 2, 2004 must, for  
10 a period of not less than 40 [~~45~~] years from the date a certificate of  
11 occupancy is issued, set aside at least:
- 12 (1) 10 percent of the dwelling units or bedrooms on the site to house  
13 persons whose household income is less than or equal to 60 [~~80~~]  
14 percent of the median income in the Austin statistical metropolitan  
15 area, as determined by the director of the Austin Neighborhood  
16 Housing and Community Development Office; and
- 17 (2) except as provided in Subsection (B), an additional 10 percent of the  
18 dwelling units or bedrooms on the site to house persons whose  
19 household income is less than or equal to 50 [~~65~~] percent of the  
20 median income in the Austin statistical metropolitan area, as  
21 determined by the director of the Austin Neighborhood Housing and  
22 Community Development Office.
- 23 (B) The University Neighborhood District Housing Trust Fund is established.  
24 Instead of complying with Paragraph (A)(2), a person may pay into the fund  
25 a fee of \$1.00 [~~.50~~] for each square foot of net rentable floor area in the  
26 multi-family residential use development. Such fee will be adjusted  
27 annually in accordance with the Consumer Price Index all Urban  
28 Consumers, US City Average, All Items (1982-84=100), as published by the  
29 Bureau of Labor Statistics of the United States Department of Labor. The  
30 city manager shall annually determine the new fee amounts for each fiscal  
31 year, beginning October 1, 2013, and report the new fee amounts to the city  
32 council.
- 33 (C) The director of the Austin Neighborhood Housing and Community  
34 Development Office may allocate money from the University Neighborhood  
35 District Housing Trust Fund for housing development in the university  
36 neighborhood overlay district that provides at least 40 [~~40~~] percent of its  
37 dwelling units or bedrooms [~~units~~] to persons whose household income is

1 less than or equal to 50 percent of the median income in the Austin statistical  
2 metropolitan area, as determined by the director of the Austin Neighborhood  
3 Housing and Community Development Office, for a period of not less than  
4 15 years from the date a certificate of occupancy is issued.

5 (D) For a hotel/motel use that has an associated condominium residential use,  
6 multifamily residential use, retirement housing (small site) use, or retirement  
7 housing (large site) use, instead of complying with Subsection (A) a person  
8 may pay into the University Neighborhood Housing Trust Fund a fee of  
9 \$2.00 for each square foot of the combined net square footage of the  
10 residential units and the hotel/motel units, if:

- 11 (1) the number of residential units associated with a hotel/motel use does  
12 not exceed 40% of the number of hotel/motel units; and  
13 (2) the net square footage of the residential units does not exceed 45% of  
14 the net square footage of hotel/motel units.

15 (E) Rents will be established annually by the director of the Austin  
16 Neighborhood Housing and Community Development Office as follows:

- 17 (1) Single occupancy 60% of the medium family income rents may not  
18 exceed the Low HOME Rent Limit for one bedroom as established  
19 annually by the Texas Department of Housing and Community  
20 Affairs.  
21 (2) Single occupancy 50% of the medium family income rents may not  
22 exceed the 40% medium family income HOME Rent Limit for an  
23 efficiency as established annually by the Texas Department of  
24 Housing and Community Affairs.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_, 2013      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_  
                         Karen M. Kennard  
                         City Attorney

**ATTEST:** \_\_\_\_\_  
                         Jannette S. Goodall  
                         City Clerk